

# Bristol City Council

## Minutes of the Development Control B Committee

26 October 2022 at 6.00 pm



### **Members Present:-**

**Councillors:** Ani Stafford-Townsend (Chair), Lesley Alexander, Fabian Breckels, Andrew Brown, Lorraine Francis, Katja Hornchen, Guy Poultney and Chris Jackson (substitute for Marley Bennett)

### **Officers in Attendance:-**

Gary Collins, Jeremy Livitt and Philippa Howson

## **1 Welcome, Introduction and Safety Information**

The Chair welcomed all parties to the meeting and explained the arrangements in the event of an emergency evacuation procedure.

## **2 Apologies for Absence**

Apologies for absence were received from Councillor Marley Bennett (Councillor Chris Jackson substituting).

## **3 Declarations of Interest**

Councillor Guy Poultney and Councillor Ani Stafford-Townsend declared non-substantial Interests in Agenda Item 9(b) Planning Application Numbers 21/06128/F and 21/06129/LA at 80 St Andrews Road, Montpelier as they had previous dealings with the applicant.

## **4 Minutes of the Previous Meeting**

The Committee were advised that the minutes of the previous meeting held on Wednesday 12<sup>th</sup> October 2022 had not yet been finalised and would be submitted for approval to the next Development Control B Committee meeting, together with the minutes of this meeting.

## **5 Action Sheet**

It was noted that all previous actions had been completed.



## 6 Appeals

Officers advised that a decision in respect of Agenda Item 11 493 - 499 Bath Road Brislington Bristol BS4 3JU, was likely to be received shortly and available for the next meeting. Key issues relating to this appeal were amenities and design with an on-site meeting to take place in relation to heat hierarchy.

## 7 Enforcement

The Committee noted the enforcement action listed in the report.

## 8 Public forum

Members of the Committee received Public Forum Statements in advance of the meeting.

The Statements were heard before the application they related to and were taken fully into consideration by the Committee prior to reaching a decision.

## 9 Planning and Development

The Committee considered the following Planning Applications:

### 9a Planning Application Number 22/01736 - Land Surrounding Dove Lane St Pauls Bristol BS2

Officers presented this report and made the following points as part of their presentation:

- Details of the amendment sheet provided an update on the sustainable city team and a list of conditions
- On 23<sup>rd</sup> October 2022 there had been a briefing by the Development Team
- The application site was a 1.6 hectare inner city location in Ashley Ward St Pauls. Details of the surrounding areas were provided
- A building located to the north of the site was the closest residence and 13 to 17 Dove Lane was the closest business to the application
- Details of the proposed development were provided, including 55 car parking spaces. 5 comments had been received to the proposal, including two objections, 1 expressing support and 2 neutral. Objections commented on the impact on the road network, the building heights and amenity impact
- Details of the plots within the site were provided to the Committee
- Vehicular access was a key issue. Movements will continue along Wilson Place and Newfoundland Road
- An aerial view was shown to put the development in context with surrounding buildings



- Historic England had raised no objection in relation to any impact on St Pauls Church
- Measures would be put in place to ensure noise insulation was implemented to ensure business use of the site was safeguarded
- Contributions would be made to public transport as part of the proposal
- Officers recommended approval subject to conditions and a Section 106 agreement

In response to Councillors' questions, officers made the following comments:

- There would be a gain of 63 trees on the site as there were currently none. There was a proposed detailed landscaping condition so officers could see if this number could be increased. There was a scheme for local people which would see if job opportunities could be maximised
- The proposal for 20% affordable housing was consistent with housing practice policy in the central area. This would be subject to the building being completed within 18 months and would be reviewed if it was not achieved within this timescale. The affordable housing part of the scheme would be secured through a Section 106 agreement
- Whilst there was always a possibility that the amount of affordable housing offered by the developer could be increased, this could not be enforced through a Section 106 agreement
- Whilst the scheme could encourage more grant funding, a viability assessment did not apply for this application
- Officers confirmed that the development was policy compliant
- Affordable and social housing would be split between social rented and registered landlord housing at a rate that someone on housing benefits can afford. The remainder would be at discounted market rent value
- C2 block would be set back from the parking area of the school and a large easement with the drain provided through Wessex Water. A study had been carried out on neighbouring properties and confirmed that there was no impact on any windows
- There was a public realm gain with this development. It was proposed to have green rooves as part of this proposal
- There was a net gain in terms of biodiversity relating to landscaping and shrub planting
- The proposal included ground floor units
- The developer will fund the Heat Network which was a key development in the feasibility of the scheme and will ensure it connects. It was noted that the Heat Network was increasing around the city due to City Leap and that there were other developments nearby such as the Frome Gateway area. If the Heat Network was not in operation on the first day of the opening of the development, the developer would be required to provide alternative sources
- Each plot on site would be managed by a Servicing Refuge Plant. Transport had no objection to the development and conditions were in place as required
- Car Club – BCC asked for membership as a standard request for such a development. BCC recommended that the developer works with Car Club providers but they can use on their own if they wish. There is a condition for a Car Club space
- The development would be completed plot by plot but it was not possible to compel the developer to provide social housing first



- The Housing Officer confirmed and welcomed the mix of schemes including 3 bedroom apartments and 3 bedroom homes
- Urban living requirements were now more up to date to meet a growing need and allow higher density to increase without diminishing quality.
- Whilst it was acknowledged that different documents (such as the St Pauls and Urban Living SPD's) provided different standards on different timescales, each needed to be given weight in its own way. Since BCC did not currently meet Housing needs or Housing Delivery Tests, there was a greater pressure to ensure higher densities. This was an issue for Councillors to weight up in making their decision
- If there was any attempt to push social housing into the less desirable areas of the development without a legitimate reason, officers could object under the Section 106 proposals
- The requirement for 2% of units to be accessible for the disabled was set out in Policy DM4. The scheme was compliant under these criteria. The developers could choose to increase this if they wished. Future amendments to the Local Plan on this issue would also strengthen the Committee's authority
- Pollution control had generally assessed the noise control as sufficient. However, mitigation measures had been identified, particularly in relation to Dove Lane Studio and would be subject to condition

Councillors made the following points:

- Whilst this scheme was near the M32, it seemed a good scheme and there was an urgent need for housing. It should be supported
- Whilst there were some reservations about the height of the 10 storey block, the need for variety of scale was appreciated. This was a good high quality development
- The scheme should be supported in principle. However, it was important to ensure that developers met their commitments and did not reduce any affordable housing
- This application should be supported. It was a great inner city site and the proposals for vehicle charging and cycling were good.
- More housing was required. Whilst there was a concern about the clash between the Urban Living and St Paul's SPD, there was a great deal to like in this proposed development.
- It was important to ensure that the will of the community in 2006 was taken into account, that the affordable and social housing was properly provided, that more trees were provided on site if possible and that greater accessibility was provided for disabled users if possible.

Councillor Chris Jackson moved, seconded by Councillor Fabian Breckels and upon being put to the vote, it was

**RESOLVED – that the application be granted subject to a Section 106 Agreement and subject to the conditions set out in the report and the requirements set out in the Amendment Sheet (8 for, 0 against – unanimous of those in attendance).**



## 9b Planning Application Numbers 21/06128/F and 21/06129/LA - 80 St Andrews Road, Montpelier

Officers introduced this report and made the following points as part of their presentation:

- Details of the application were provided. It was explained that there was no access between the two sites
- The sites were located in the Montpelier Conservation Area and were Grade 2 listed
- Adjacent to the site was a coach house which would have an ancillary
- Details of the view facing north and south were provided
- The site was currently overgrown and in a poor state of repair
- The proposed front elevation and street scene elevation were shown to the Committee
- There had been three rounds of consultation, with 30, 15 and 21 objections respectively. Most objections focused on the impact of listed buildings, building in a Conservation Area and the impact on local parking provision
- The site is sustainable and is characterised by mews houses, strongly influenced by the gardens within them
- The urban design team had no objection to the overall scale and design of the development
- This would be the first residential development to the rear of Richmond Terrace with primarily ancillary buildings but some mews properties further up from the site
- The conservation officer has raised no objection and has stated that the development is proportionate
- Amenity Impact – the overall footprint is the same as other properties. The separation distance is consistent
- Obscure glazing would be installed to ensure there was no overlooking to Richmond Terrace
- Officers believed the scheme was acceptable and so recommended approval.

In response to members' questions, officers made the following points:

- The Richmond Road site had Listed Buildings status
- The impact of the mews houses was a factor in the original approval of the site. This plot was removed due to potential harm. However, the situation was now different due to changes in local and national planning policy, together with the increased housing need
- The original proposed scheme had been much bigger and had been considered too large. There had been amendments to design following three rounds of consultation. Following a reduction in height, it was now considered acceptable
- Details of the garden plot were provided. The single storey garage is the main part of the development
- It was recommended that this development would be exempt from both types of permit ie resident and visitor permits. New dwellings within the RPZ should not benefit from the Residents Parking Zones but this is purely for advice. Applications for a residents permit could still be made



- All developments within Conservation Areas and involving listed buildings were assessed according to criteria as to whether or not they were appropriate to avoid any precedent being set
- The 2020 application was withdrawn due to concerns about the scale and design. The proposed scheme was noticeably smaller than the one which had originally been submitted. Stands for bins and the location for bins were located at the front
- Policy DM21 confirms that the development does meet the required policy. A previous application in Clyde Road had been similar and was refused by the Committee but allowed on appeal which could happen in this instance
- Registered cares would be allowed permits so the issue of equalities would be addressed
- Any removal or change to Advice Note 8 would not be legally enforceable

Councillors made the following comments:

- A site visit might be appropriate in the circumstances
- A site visit was unnecessary as the details provided were clear
- Whilst this was a small development, the level of objections was quite high. This site should be protected to avoid taking a portion out of the back garden and adding more houses which will change the character of the street
- The size of the garden was a concern and needed to be protected. The height was also of concern
- The scheme should be supported sine Policy DM21 applies
- There was already a mismatch on the site with the 4 modern houses nearby. It was therefore unlikely any refusal could be sustained at appeal

Councillor Andrew Brown moved, seconded by Councillor Chris Jackson that the application be approved. Upon being put to the vote, this was LOST (4 for, 4 against, Chair exercising the casting vote to vote against).

Councillor Guy Poultney moved, seconded by Councillor Lesley Alexander that the item be deferred pending a Site Visit. Upon being put to the vote, this was LOST (2 for, 6 against).

Councillor Fabian Breckels then moved, seconded by Councillor Chris Jackson and upon being put to the vote, it was

**RESOLVED (5 for, 3 against) – that the application be approved subject to the conditions set out in the report and the removal of the following wording from the end of Advice Note 8 “ as well as visitors’ parking permits if in a Residents Parking scheme”.**

Councillor Chris Jackson left the meeting at this point.



## 9c Planning Application Number 21/04574/F - 66 to 70 Church Road, Redfield

Officers introduced this report and made the following point as part of the presentation:

- The site was not located in the Conservation Area
- The development was a mix of buildings both commercial and industrial
- Different views of the site were provided, including an electricity sub-station at 68 to 70 Church Road
- Two rounds of consultation had been taken with 14 objections, followed by a further 7. Concerns raised by objectors included the issues of height, scale and massing
- Following the omission of the second floor from the original proposal, this had reduced the size of the proposed development.
- Measures had also been proposed to add additional lighting to the first floor and to prevent overlooking
- The views from the north of the site for the proposed development showed the separation distances
- The development would be car free. Previous developments had not been refused on transport grounds
- Officers recommended approval for this Planning Application

In response to members' questions, officers made the following comments:

- Subject to the proposed changes relating to lighting, the development could be approved. The proposed arrangements for the entrance to the door of the flats and specification would be an advice note to the applicants who were aware of the design requirements
- The Coal Authority did not object to the proposed development. It was noted that the development was in a high risk coal mining area. However, following a review of this site, this was not considered a reason to refuse the application. However, the Committee might deem it appropriate to provide an Advice Note for this application
- Councillors' concerns about the possibility of fire in the chimney were noted. However, neither the Fire Authority nor Health Authority had raised any objections
- The applicant was proposing an in fill timber panel for the development with high window and roof lights. They had also submitted a landscaping scheme
- It was not yet clear whether or not the property would be rented out or sold

Councillors made the following comments:

- This was a past coal mining area and all housing required a survey first to assess whether or not it would be suitable. Measures were in place to deal with this issue
- The site had been an eyesore since the 1990's and empty for a long time. Whilst the exact location was not perfect, it was a huge improvement. The proposed curved style of building suited the development well



- The proposal was good subject to an advice note being added to recommend that the developer carried out a full coal mining assessment survey on the site
- This development was a good mixed use of employment and space and could breathe new life into the area

Councillor Ani Stafford-Townsend moved, seconded by Councillor Guy Poultney and it was

**RESOLVED: that the application be approved subject to the conditions included in the report and the proposed amendment to Condition 26 set out in the Amendment Sheet, with an additional Advice Note also to be included urging a detailed and thorough coal mining assessment prior to development of the site (unanimously of those in attendance – 7 for, 0 against).**

### **10 Date of Next Meeting**

It was noted that the next meeting was scheduled to be held at 2pm on Wednesday 7<sup>th</sup> December 2022.

The meeting ended at 8.55 pm

**CHAIR** \_\_\_\_\_

